

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:98CV394

WILLIAM E. SMITH,)	
)	
Plaintiff,)	
)	
Vs.)	<u>ORDER OF DISMISSAL</u>
)	(Defendant Crown, Cork
AC&S, INC., <i>et al.</i>,)	& Seal Company, Inc. ONLY)
)	
Defendants.)	
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THIS MATTER is before the Court on motion of Plaintiff William E. Smith to dismiss his claims against the Defendant Crown, Cork & Seal Co., Inc., without prejudice.

IT IS, THEREFORE, ORDERED that the Plaintiff's motion is **ALLOWED**, and the claims of Plaintiff William E. Smith against the Defendant Crown, Cork & Seal Co., Inc., are hereby **DISMISSED WITHOUT PREJUDICE** in their entirety.

IT IS FURTHER ORDERED that the motion of Defendant Crown, Cork & Seal for summary judgment pertaining to this Plaintiff is hereby **DENIED** as moot.

Signed: October 3, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

